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DHHS REf. No. E-223-98/0

Commissioner for Patents

PO Box 1450

Arlington, VA 28313-1450

, scenler 4, 2003

TOWNSEND and TOWNSEND and CREW LLP

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

**AMBS and HARRIS** 

Application No.: 09/830,977

Filed: July 31, 2001

For: P53 AND VEGF REGULATE TUMOR GROWTH OF NOS2 EXPRESSING CANCER CELLS Examiner:

Sheela Jitendra Huff

Art Unit:

1642

RESPONSE TO RESTRICTION

REQUIREMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement mailed July 28, 2003, Applicants elect Group I, claims 1-10, drawn to in vitro screening for NOS2 modulators.

The foregoing election is made with traverse, as the four groups set forth by the Examiner all stem from a common concept and theory, and are thus related. As such, prosecution of the claims of Groups I-IV would not place a substantially greater burden on the Examiner. Applicants therefore respectfully request that the Examiner withdraw the Restriction Requirement and consider all the claims together.

Ambs and Harris

Application No.: 09/830,977

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

Annette S. Parent Reg. No. 42,058

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